



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2002-12**

April 16, 2002

Mr. William A Conaton
161 Dockham Shore Rd
Gilford, NH 03249

RE: DES Wetlands File #2002-00385 161 Dockham Shore Rd, Gilford

Dear Mr. Conaton:

On April 1, 2002, the Department of Environmental Services ("DES") reviewed documentation concerning the above referenced property, more specifically referenced on Town of Gilford Tax Map 222 as Lot 16 (the "Property"). The purpose of the review was related to a complaint received by DES and to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the review the following deficiencies were documented:

1. A seasonal dock, with approximate dimensions of 2 feet 6 inches by 23 feet, has been converted to a permanent dock without a permit from DES.
2. The file review shows that a crib with approximate dimensions of 3 feet 6 inches by 6 feet 6 inches was constructed and placed in Lake Winnepesaukee to support the above referenced docking facility.

In response, you are requested to take the following actions:

1. Submit a plan by April 30, 2002, for the removal of the crib to DES for review and approval. Submit the following with the plan:
 - a. A plan with dimensions, drawn to scale, showing:
 1. Existing conditions, to include the location of the docking facility and the crib; and
 2. Proposed conditions after removal of the crib;
 - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
 - c. A description of the proposed construction sequence and methods for accomplishing removal of the crib and anticipated restoration compliance date.
2. Implement the restoration plan only after receiving written approval and as conditioned by DES.
3. Submit a cover letter and photos within 10 days after the crib has been removed showing the

site has come into compliance.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk, Shoreline Investigator
Wetlands Bureau
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

COPY

Mary Ann Pilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL 7099 3400 0003 0689 0138

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen Rule, Administrator, DES Legal Unit
Gilford Conservation Commission
Gilford Board of Selectmen
David Killoy, USACOE
Bruce Reichlen
File # 2001-385